



**MINUTES OF THE GILA COUNTY
PLANNING AND ZONING COMMISSION
Thursday, November 17, 2016**

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM
610 E Highway 260, Payson, AZ
10:00 am

REGULAR MEETING

1. The meeting was called to order at 10:04 a.m. by Chairman Mickie Nye.
2. Pledge of Allegiance was led by Chairman Mickie Nye.
3. Roll Call: Therese Berumen called the roll; Chairman Mickie Nye, Vice-Chairman Ray Jones, Mary Lou Myers, Randy Slapnicka, Kurtis Knauss (in Globe), Travis Holder (in Globe) and Jay Spehar (in Globe). Travis Williams is absent. A quorum is present.

Community Development Staff Members Present: Robert Gould-Planner, Margie Chapman-Code Compliance Supervisor/Zoning Assistant, Scott Buzan-Interim Director and Building Official, and Therese Berumen-Administrative Assistant.

4. Review and Approval of Minutes of the Planning and Zoning Commission Hearing on August 4, 2016. Mickie Nye asked if there were any changes needed and there wasn't. Travis Holder motioned that the minutes be approved as is and Mary Lou Myers seconded the motion. It was unanimously approved.
5. **Planner/Commission Communication:** At any time during this meeting of the Planning and Zoning Commission and Planner Bob Gould of Community Development may present a brief summary of current events. No action may be taken.

Mickie Nye opened the floor up to Bob Gould. Mr. Gould brought up that we would be having a rezoning application on the December agenda. Also, the elections of officers. Chairman Mickie Nye also brought up that we needed to nail down the definition of an accessory building unit. Stating that there has been several issues come up and it needs to be ironed out. Jay Spehar asked Chairman Mickie Nye if he could enlighten some of them on what went on at the Board of Adjustment meeting because some of them weren't present for that. Chairman Mickie Nye summarized the aspect of a gentleman living in an RV on his mother's property, so he can care for her and his sister because his mother is 97 years old and his sister is deaf and does not speak. Stating that another property owner complained that him living in his RV is hurting the fact that he is trying to sell his property.

INFORMATION/DISCUSSION/ACTION

6. **Gila County Planning & Zoning Commission and Board of Adjustment 2017 Calendar:** Mr. Nye asking if it has changed from the 3rd Thursday of the month. Mr. Gould stating no, that it hasn't, this is just the calendar for the 2017 year. Jay Spehar motioned to approve and Randy Slapnicka seconded the motion. The motion passed unanimously.

7. **Changes to Gila County Ordinance 08-02 Clean and Lien and Ordinance 05-01 Rules of Procedure:** Mr. Gould stated that the reason he has this on the agenda as one item is because there is only one change they are looking to make and that is instead of the appeals of the hearing officers going to The Board of Supervisors, we are asking it go to the Board of Adjustment. We felt this was the best avenue to pursue. This is not a hearing on this. I just wanted to provide the commission with the revised guidelines. Just wanted to get feedback on it, so I could move it along. Jay Spehar stated he wishes the Clean and Lien Ordinance had stronger language and fines. Margie Chapman stating that we have come a long way with the Clean and Lien Ordinance, but still have a long way to go. Mr. Gould stating that he would like to get with Jay Spehar before it is brought back to the commission. No further discussion.
8. **Proposed Amendment to 2003 Comprehensive Plan for Gila County:** Staff and the Planning Group from Pine and Strawberry will discuss a proposed amendment to the 2003 Comprehensive Plan. This is for discussion only and no decision will be allowed at this time. Mr. Gould stated that there were some issues that needed to be addressed. I am really impressed by the public participation. I do think it is an extremely conservative plan, which they have come up, but they can explain better at what they are trying to achieve. This is not a hearing, just a discussion.

Chairman Mickie Nye asked if there were any questions for Mr. Gould by the Planning and Zoning Commission members. No questions or comments.

The meeting was opened for public comment. Chris Walsh from Pine speaking; this has been in process for 2 years now. We conducted several town hall meetings and extensive community surveys, with a very high participation rate. Also stated that it is very difficult to get any feedback in the unincorporated areas. Darwin of Pine speaking; we did receive a 22% respond rate from the surveys. Chairman Mickie Nye asked, for whoever wanted to answer, that the word policy was mentioned in the document several times, what, in the legal sense, does policy mean? I am not familiar with that word in this context. Mr. Gould stated that it is similar to a strategy. That this is how we think and feel when we are faced with a decision. It's not a regulation and it's not mandatory. Just something that says, this is how we feel about a particular situation. Mary Lou Myers thanked them for their work on the project and stated that she has lived in Pine for longer than most of them have. I found several things in the document that concerned me. First thing is on page 3, in about the middle of the page. It is stated that the lots there range in size from ½ acre to over 3 acres. I would say it is ¼ of an acre or less. Just a little misleading. Second, the last paragraph on page 3 states that some residents are served by private or community well systems. The community well systems are a public entity. There are not many private systems left. Just misleading and confusing somewhat. Thirdly, on the last sentence on page 3, needs to be redefined. Not entirely correct. Lastly, on page 4, what is Forest Road 708? I have never heard of this road. Mr. Gould stating these things should have been caught. Darwin of Pine speaking; this logistic stuff and legal terms were just lifted out of the original plan. We need to get the correct information that you are giving us and clean it up. Mary Lou Myers stating that she would like to get with Mr. Gould and they can clean it up and go over her ideas about it. Also stating, she would just like to know, with all the improvements being discussed, who is expected to pay for all this. Mr. Gould stating that right now they would just like to get the plan down on paper, so they would have something concrete to fall back on when the time comes. Mr. Gould stated that he thinks it is a good idea to come back before the commission before it is heard, after I get with Mary Lou and clean it up.

9. **Discussion/possible action on a request from concerned citizen pertaining to electric fences on residential properties:** Mr. Gould stated that there has been a lot of concern about the dangers of having electric fences on residential properties. We have had a couple of cases pertaining to this, just recently. There are options that we can look at, other than having the electric fences. There is nothing in our zoning ordinances concerning electric fences. I simply have been using that it is a nuisance. We do have some concerned residents here that would like to speak on the matter. Chairman Mickie Nye stated that he has concerns about electric fences on residential properties as well. It mostly applies to children. Mr. Gould stating that we just need some guidelines on this issue. Jay Spehar saying he thinks having electric fences on residential properties is inappropriate for many reasons. Mr. Gould stating he has no problem with the 10 foot fence, it is just the electric part of it. Chairman Mickie Nye opened it up to public comment. Mrs. Gail Knight brought up that she has concerns with this because they live right next door to someone who wants to put up a 10 foot electric fence and they have 3 very young grandchildren. The neighborhood is full of many children. It is a huge safety concern for us. As per our conversation, we understand that Gila County does not currently have any regulations regarding electric fences in GU zoning. We feel very strongly that this needs to be addressed immediately. While we understand there are appropriate places for electric fences, we do feel that the county needs to recognize that residential areas such as ours are not appropriate areas for electric fences. An electric fence in our neighborhood would be a tremendous nuisance as well as a safety hazard. We would just like this to be addressed.
10. **Adjournment.** Ray Jones made a motion to adjourn the meeting and Randy Slapnicka seconded the motion. The motion to adjourn was unanimously approved at 11:20 a.m.